IN THE U.S. BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:

CHARLES ANTHONY PECKHAM } Case No.: 16-02516

Chapter 13

Debtor } Judge Harrison

EMERGENCY MOTION TO UTILIZE INSURANCE PROCEEDS ON AUTOMOBILE DEBT

Comes the Debtor, by and through counsel, pursuant to 11 U.S.C. § 1329 and would request that the Court enter an order directing the insurance proceeds on the casualty loss of the 2015 Chevy Impala Limited LT to be used for the repayment of the debt and that the title of the vehicle be sent to GEICO.

- 1. GEICO insured the vehicle and GEICO claims the lien holder was Inland Bank & Trust. Now Insolve Auto Funder c/o Wayfinder BK LLC is the lien holder.
- 2. The 2015 Chevrolet Impala Serial # 2G1WB5E35F1131029 was declared a total loss by which GEICO as a result of the accident which occurred at January 7, 2020.
 - 3. The settlement amount is \$5,586.65.
 - 4. A payoff of \$3,039 is still owed on the vehicle.
- GEICO requests that this Honorable Court order the title of the wrecked vehicle to be sent to them.
- 6. The Debtor requests that the hearing be set on March 11, 2020, at 8:30 a.m. in Courtroom One, Customs House, 701 Broadway, Nashville, Tennessee 37203.
 - 7. In support of the motion, the Debtors would state:
- A. The Debtor's 2015 CHEVY Impala Limited LT has been damaged and declared a total loss.
 - B. Insolve Auto Funder is a secured creditor in this case and has a perfected security

interest in the 2015 CHEVY Impala Limited LT.

C. Insurance proceeds are set to issue from GEICO Insurance Company in the amount of \$5,586.65 once an order has been signed.

D. \$3.039.00 is still owed on the vehicle.

E. The Debtor would request that the proceeds be paid by GEICO to the Trustee toward the debt and that the lien on the vehicle be released to GEICO and the remainder credited to Debtor's bankruptcy.

Respectfully submitted,

/s/ Chris Coats

Chris Coats BPR# 13748
Attorney for Debtors 722
South Church Street
Murfreesboro, TN 37190
615-459-3131
chris@chriscoatslaw.com

CERTIFICATE OF SERVICE

I certify that on this 18th day of February, 2020, I furnished a true and correct copy of the foregoing to the following parties in interest:

Office of the Chapter 13 Trustee P.O. Box 190664 Nashville, TN 37219

Office of the U.S. Trustee Customs House 701 Broadway Nashville, TN 37203

Christina Tricker GEICO Salve/Total Loss Bankruptcy Specialist 4400 Ocmulgee East Blvd. Macon, GA 31217

Insolve Auto Funder c/o Wayfinder BL LLC 1790 E River Rd

Charles Peckham 1507 Hickory Club Drive Antioch, TN 37013

/s/ Chris Coats